

UNITED STATES BANKRUPTCY COURT
Eastern District of California
Honorable René Lastreto
Hearing Date: Thursday, March 3, 2016
Place: U.S. Courthouse, 510 19th Street
Bakersfield, California

INSTRUCTIONS FOR PRE-HEARING DISPOSITIONS

1. The following rulings are tentative. The tentative ruling will not become the final ruling until the matter is called at the scheduled hearing. **Pre-disposed matters will generally be called, and the rulings placed on the record at the end of the calendar.** Any party who desires to be heard with regard to a pre-disposed matter may appear at the hearing. If the party wishes to contest the tentative ruling, he/she shall notify the opposing party/counsel of his/her intention to appear. **If no disposition is set forth below, the hearing will take place as scheduled.**
2. Submission of Orders:

Unless the tentative ruling expressly states that the court will prepare a civil minute order, then the tentative ruling will only appear in the minutes. If any party desires an order, then the appropriate form of order, which conforms to the tentative ruling, must be submitted to the court. When the debtor(s) discharge has been entered, proposed orders for relief from stay must reflect that the motion is denied as to the debtor(s) and granted only as to the trustee. Entry of discharge normally is indicated on the calendar.
3. Matters Resolved Without Opposition:

If the tentative ruling states that no opposition was filed, and the moving party is aware of any reason, such as a settlement, why a response may not have been filed, the moving party must advise Vicky McKinney, the Calendar Clerk, at (559) 499-5825 by 4:00 p.m. the day before the scheduled hearing.
4. Matters Resolved by Stipulation:

If the parties resolve a matter by stipulation after the tentative ruling has been posted, but **before the formal order is entered on the docket**, the **moving party** may appear at the hearing and advise the court of the settlement or withdraw the motion. Alternatively, the parties may submit a stipulation and order to modify the tentative ruling together with the proposed order resolving the matter.
5. Resubmittal of Denied Matters:

If the moving party decides to re-file a matter that is denied without prejudice for any reason set forth below, the moving party must file and serve a new set of pleadings with a new docket control number. It may not simply re-notice the original motion.

THE COURT ENDEAVORS TO PUBLISH ITS PREDISPOSITIONS AS SOON AS POSSIBLE, HOWEVER CALENDAR PREPARATION IS ONGOING AND THESE PREDISPOSITIONS MAY BE REVISED OR UPDATED AT ANY TIME PRIOR TO 4:00 P.M. THE DAY BEFORE THE SCHEDULED HEARINGS. PLEASE CHECK AT THAT TIME FOR POSSIBLE UPDATES.

9:00 A.M.

1. [15-11200](#)-B-7 ROSA BALMORI CONTINUED STATUS CONFERENCE RE:
[15-1132](#) COMPLAINT
 U.S. TRUSTEE V. BALMORI 10-27-15 [[1](#)]
 GREGORY POWELL/Atty. for pl.

The plaintiff's complaint was dismissed under F.R.C.P. § 12(b)(6), with leave to amend, on January 7, 2016. This status conference was continued for the filing of an amended complaint which was to be filed and served by February 9, 2016. Nothing has been filed in response to the court's civil minute order. Accordingly, the court will issue an Order to Show Cause why this adversary proceeding should not be dismissed for lack of prosecution. No appearance is necessary.

2. [15-13565](#)-B-7 JACK ANDERSON STATUS CONFERENCE RE: COMPLAINT
[15-1156](#) 12-31-15 [[1](#)]
FIRST NATIONAL BANK OF OMAHA
V. ANDESRON
CORY ROONEY/Atty. for pl.
RESPONSIVE PLEADING,
STIPULATION RE: SETTLEMENT

The record shows that, pursuant to a stipulation by the parties and order of the court, this matter has been settled. The status conference will be vacated subject to being reset by any party on 10 days' notice. No appearance is necessary. The clerk of the court may close the adversary proceeding without notice in 60 days unless the adversary proceeding has been concluded or set for a further status conference within that time. Either party may request an extension of this time up to 30 days by ex parte application for cause. After the adversary proceeding has been closed, the parties will have to file an application to reopen the adversary proceeding if further action is required. The court will prepare and enter a civil minute order.

9:30 A.M.

1. [15-14685](#)-B-11 B&L EQUIPMENT RENTALS,
LKW-12 INC.

MOTION FOR COMPENSATION FOR
LEONARD K. WELSH, DEBTORS
ATTORNEY(S)
2-11-16 [[105](#)]

LEONARD WELSH/Atty. for dbt.

10:00 A.M.

1. [15-14202](#)-B-7 ALEX/KAREN MIRANDA
APN-1
NISSAN MOTOR ACCEPTANCE
CORPORATION/MV
AUSTIN NAGEL/Atty. for mv.

MOTION FOR RELIEF FROM
AUTOMATIC STAY
1-11-16 [[12](#)]

This motion for relief from the automatic stay will be denied as moot. The debtors are individuals. The record does not show that the personal property collateral for this secured claim was redeemed or surrendered within the applicable time set by 11 U.S.C. §521(a)(2). Similarly, the record does not reflect that the loan was reaffirmed or that the movant denied a request to reaffirm the loan on the original contract terms. Therefore, pursuant to 11 U.S.C. §362(h), the collateral is no longer property of the estate and the automatic stay has already terminated by operation of law. Movant may submit an order denying the motion, and confirming that the automatic stay has already terminated on the grounds set forth above. No attorney fees will be awarded in relation to this motion. No appearance is necessary.

2. [15-14202](#)-B-7 ALEX/KAREN MIRANDA
APN-2
NISSAN MOTOR ACCEPTANCE
CORPORATION/MV
AUSTIN NAGEL/Atty. for mv.

MOTION FOR RELIEF FROM
AUTOMATIC STAY
1-11-16 [[18](#)]

This motion for relief from the automatic stay will be denied as moot. The debtors are individuals. The record does not show that the personal property collateral for this secured claim was redeemed or surrendered within the applicable time set by 11 U.S.C. §521(a)(2). Similarly, the record does not reflect that the loan was reaffirmed or that the movant denied a request to reaffirm the loan on the original contract terms. Therefore, pursuant to 11 U.S.C. §362(h), the collateral is no longer property of the estate and the automatic stay has already terminated by operation of law. Movant may submit an order denying the motion, and confirming that the automatic stay has already terminated on the grounds set forth above. No attorney fees will be awarded in relation to this motion. No appearance is necessary.

3. [15-14615](#)-B-7 JAMES/KAREN WATSON
RP-1
RANDELL PARKER/MV

MOTION TO EMPLOY GOULD AUCTION
& APPRAISAL COMPANY, LLC. AS
AUCTIONEER, AUTHORIZING SALE OF
PROPERTY AT PUBLIC AUCTION AND
AUTHORIZING PAYMENT OF
AUCTIONEER FEES AND EXPENSES
2-11-16 [[11](#)]

NEIL SCHWARTZ/Atty. for dbt.
RANDELL PARKER/Atty. for mv.

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent(s) default will be entered and the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.

4. [15-14017](#)-B-11 CLUB ONE CASINO, INC.
KDG-1
CLUB ONE CASINO, INC./MV

CONTINUED MOTION TO USE CASH
COLLATERAL AND/OR MOTION FOR
ADEQUATE PROTECTION
10-15-15 [[7](#)]

HAGOP BEDOYAN/Atty. for dbt.
ORDER #410, RESPONSIVE
PLEADING

5. [15-14828](#)-B-7 MARLON/CARMELA MARRON
APN-1
BMW BANK OF NORTH AMERICA/MV
ROBERT WILLIAMS/Atty. for dbt.
AUSTIN NAGEL/Atty. for mv.

MOTION FOR RELIEF FROM
AUTOMATIC STAY
1-28-16 [[11](#)]

This motion for relief from the automatic stay will be denied as moot. The debtors are individuals. The record does not show that the personal property collateral for this secured claim was redeemed or surrendered within the applicable time set by 11 U.S.C. §521(a)(2). Similarly, the record does not reflect that the loan was reaffirmed or that the movant denied a request to reaffirm the loan on the original contract terms. Therefore, pursuant to 11 U.S.C. §362(h), the collateral is no longer property of the estate and the automatic stay has already terminated by operation of law. Movant may submit an order denying the motion, and confirming that the automatic stay has already terminated on the grounds set forth above. No attorney fees will be awarded in relation to this motion. No appearance is necessary.

6. [16-10230](#)-B-7 LINDA LOVELACE

WILLIAM EDWARDS/Atty. for dbt.
\$335.00 FILING FEE PAID
2/11/16

ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
2-11-16 [[16](#)]

The record shows that the required fee has been paid in full. The OSC will be vacated. No appearance is necessary.

7. [15-11234](#)-B-7 CYNTHIA EVANS
RP-2
RANDELL PARKER/MV

MOTION TO EMPLOY GOULD AUCTION
& APPRAISAL COMPANY, LLC AS
AUCTIONEER, AUTHORIZING SALE OF
PROPERTY AT PUBLIC AUCTION AND
AUTHORIZING PAYMENT OF
AUCTIONEER FEES AND EXPENSES
2-3-16 [[24](#)]

VINCENT GORSKI/Atty. for dbt.

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent(s) default will be entered and the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.

8. [16-10035](#)-B-7 DEBRA VANCAMP

ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
1-20-16 [[14](#)]

WILLIAM EDWARDS/Atty. for dbt.
FILING FEE PAID

The record shows that the required fee has been paid in full. The OSC will be vacated. No appearance is necessary.

9. [16-10043](#)-B-7 RANDY/GINA EIDSON
APN-1
SANTANDER CONSUMER USA INC./MV
NEIL SCHWARTZ/Atty. for dbt.
AUSTIN NAGEL/Atty. for mv.

MOTION FOR RELIEF FROM
AUTOMATIC STAY
1-21-16 [[11](#)]

This motion for relief from stay was fully noticed in compliance with the Local Rules and there was no opposition. The debtors' default will be entered and the motion will be granted without oral argument for cause shown. The automatic stay is terminated as it applies to the movant's right to enforce its remedies against the subject property under applicable nonbankruptcy law. The proposed order shall specifically describe the property or action to which the order relates. If the motion involves a foreclosure of real property in California, then the order shall also provide that the bankruptcy proceeding has been finalized for purposes of California Civil Code 2923.5 to the extent that it applies. If the notice and motion requested a waiver of Federal Rules of Bankruptcy Procedure 4001(a)(3), that relief will be granted. Unless the court expressly orders otherwise, the proposed order shall not include any other relief. If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. §506(b), or applicable nonbankruptcy law, must be separately noticed and separately briefed with appropriate legal authority and supporting documentation. No appearance is necessary.

10. [15-13444](#)-B-7 TRAVIS/AMBER BREWER
NLG-1
CENTRAL MORTGAGE COMPANY/MV
LEONARD WELSH/Atty. for dbt.
NICHOLE GLOWIN/Atty. for mv.
DISCHARGED

MOTION FOR RELIEF FROM
AUTOMATIC STAY
1-27-16 [[34](#)]

This motion for relief from stay was fully noticed in compliance with the Local Rules and there was no opposition. The motion will be denied as moot as to the debtor(s) because their discharge has been entered. The motion will be granted for cause shown as to the chapter 7 trustee. The automatic stay is terminated as it applies to the movant's right to enforce its remedies against the subject property under applicable nonbankruptcy law. The proposed order shall specifically describe the property or action to which the order relates. If the motion involves a foreclosure of real property in California, then the order shall also provide that the bankruptcy proceeding has been finalized for purposes of California Civil Code 2923.5. If the notice and motion requested a waiver of Federal Rule of Bankruptcy Procedure 4001(a)(3), that relief will be granted. Unless the court expressly orders otherwise, the proposed order shall not include any other relief. If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. §506(b), or applicable nonbankruptcy law, must be separately noticed and separately briefed with appropriate legal authority and supporting documentation. No appearance is necessary.

11. [16-10061](#)-B-7 STANLEY LESTER
APN-1
SANTANDER CONSUMER USA INC./MV
D. GARDNER/Atty. for dbt.
AUSTIN NAGEL/Atty. for mv.

MOTION FOR RELIEF FROM
AUTOMATIC STAY
1-29-16 [[10](#)]

This motion for relief from stay was fully noticed in compliance with the Local Rules and there was no opposition. The debtor's default will be entered and the motion will be granted without oral argument for cause shown. The automatic stay is terminated as it applies to the movant's right to enforce its remedies against the subject property under applicable nonbankruptcy law. The proposed order shall specifically describe the property or action to which the order relates. If the motion involves a foreclosure of real property in California, then the order shall also provide that the bankruptcy proceeding has been finalized for purposes of California Civil Code 2923.5 to the extent that it applies. If the notice and motion requested a waiver of Federal Rules of Bankruptcy Procedure 4001(a)(3), that relief will be granted. Unless the court expressly orders otherwise, the proposed order shall not include any other relief. If the prayer for relief includes a request for adequate protection, and/or a request for an award of attorney fees, those requests will be denied without prejudice. Adequate protection is unnecessary in light of the relief granted herein. A motion for attorney fees pursuant to 11 U.S.C. §506(b), or applicable nonbankruptcy law, must be separately noticed and separately briefed with appropriate legal authority and supporting documentation. No appearance is necessary.

12. [16-10061](#)-B-7 STANLEY LESTER
APN-2
SANTANDER CONSUMER USA INC./MV
D. GARDNER/Atty. for dbt.
AUSTIN NAGEL/Atty. for mv.

MOTION FOR RELIEF FROM
AUTOMATIC STAY
2-5-16 [[16](#)]

13. [13-11262](#)-B-7 MIGUEL/ROSALINDA GOMEZ
PK-2
MIGUEL GOMEZ/MV

NEIL SCHWARTZ/Atty. for dbt.

CONTINUED MOTION TO AVOID LIEN
OF ARROW FINANCIAL SERVICES,
LLC
1-15-16 [[23](#)]

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent's default will be entered and the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.

14. [13-11262](#)-B-7 MIGUEL/ROSALINDA GOMEZ CONTINUED MOTION TO AVOID LIEN
PK-3 OF FINANCIAL CREDIT NETWORK,
MIGUEL GOMEZ/MV INC.
1-15-16 [[29](#)]

NEIL SCHWARTZ/Atty. for dbt.
RESPONSIVE PLEADING

The matter has been resolved by stipulation of the parties. The moving party shall submit a proposed order. No appearance is necessary.

15. [12-17371](#)-B-7 ISIDRO/MARIA GARIBAY MOTION TO AVOID LIEN OF
RSW-2 FINANCIAL CREDIT NETWORK, INC.
ISIDRO GARIBAY/MV 2-17-16 [[21](#)]
ROBERT WILLIAMS/Atty. for dbt.

This motion will be denied without prejudice. The motion was served with fewer than 28 days notice but the language in the notice requires written opposition be filed; therefore the notice period fails to comply with Federal Rule of Bankruptcy Procedure 2002. While Local Bankruptcy Rule 9014-1(f) (2) permits 14-day notice, it does not require written opposition. The movant may re-file this motion for hearing in Fresno if necessary. No appearance is necessary.

16. [15-14773](#)-B-7 DONALD/WILMA SPROUSE MOTION FOR RELIEF FROM
VVF-1 AUTOMATIC STAY AND/OR MOTION
AMERICAN HONDA FINANCE FOR ADEQUATE PROTECTION
CORPORATION/MV 2-9-16 [[16](#)]
ASHTON DUNN/Atty. for dbt.
VINCENT FROUNJIAN/Atty. for mv.

17. [16-10088](#)-B-7 RONALD STARR ORDER TO SHOW CAUSE - FAILURE
TO FILE DOCUMENTS
1-15-16 [[30](#)]

LESLIE RICHARDS/Atty. for dbt.

18. [16-10088](#)-B-7 RONALD STARR MOTION TO DISMISS CASE
LRL-40 2-10-16 [[40](#)]
RONALD STARR/MV
LESLIE RICHARDS/Atty. for dbt.

The debtor's motion to dismiss his chapter 7 case will be denied. The United States Trustee's office in Fresno was not served, nor was the chapter 7 trustee served.

Further, the moving papers were not filed in compliance with Local Bankruptcy Rule 9014-1(e) (3).

Finally, the motion is unintelligible in the portion labeled "Background." No appearance is necessary on this matter.

11:00 A.M.

1. [15-14614](#)-B-7 BROCK/SHAY MOUSER

REAFFIRMATION AGREEMENT WITH
WESTAMERICA BANK
1-25-16 [[10](#)]

STEVEN STANLEY/Atty. for dbt.

Approval of the Reaffirmation Agreement will be denied. The form of the Reaffirmation Agreement does not appear to comply with 11 U.S.C. §524(c)(2) and 524(k). The Agreement does not include the required disclosures. The court will issue a minute order deeming the Reaffirmation Agreement to be non-compliant with the Bankruptcy Code and non-binding on the parties. No appearance is necessary.

1:30 P.M.

1. [15-14409](#)-B-13 ALICIA RIZO
WILLIAM OLCOTT/Atty. for dbt.
CONTINUED CONFIRMATION RE: PLAN
11-13-15 [[5](#)]
2. [15-14716](#)-B-13 GEORGE NUNEZ
MHM-1
PATRICK KAVANAGH/Atty. for dbt.
RESPONSIVE PLEADING
OBJECTION TO CONFIRMATION OF
PLAN BY TRUSTEE MICHAEL H.
MEYER
2-8-16 [[20](#)]
3. [10-63819](#)-B-13 YONG PARK AND HYANG YOON
MHM-2
MICHAEL MEYER/MV
PHILLIP GILLET/Atty. for dbt.
MOTION TO DETERMINE FINAL CURE
AND MORTGAGE PAYMENT RULE
3002.1
1-12-16 [[99](#)]

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent(s) default will be entered and the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.

4. [16-10020](#)-B-13 GERARDO RIOS
ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
2-9-16 [[25](#)]
5. [14-13922](#)-B-13 DAVID ARNONE
MHM-3
MICHAEL MEYER/MV
ROBERT WILLIAMS/Atty. for dbt.
MOTION TO DISMISS CASE
1-11-16 [[56](#)]

The chapter 13 trustee's motion has been withdrawn. No appearance is necessary.

6. [15-12826](#)-B-13 JOE/TINA MARIE GRANILLO
SJS-4
JOE GRANILLO/MV
SUSAN SALEHI/Atty. for dbt.
OBJECTION TO CLAIM OF PHILLIP
GILLET, CLAIM NUMBER 1-2
1-9-16 [[55](#)]

7. [15-14330](#)-B-13 JOSE/PAULA BUSTAMANTE
BN-1
THE GOLDEN 1 CREDIT UNION/MV
D. GARDNER/Atty. for dbt.
VALERIE PEO/Atty. for mv.
CONTINUED MOTION FOR RELIEF
FROM AUTOMATIC STAY
1-21-16 [[46](#)]

8. [15-10233](#)-B-13 PEDRO/ZENAIDA NAVEIRAS
JCW-1
NATIONSTAR MORTGAGE LLC/MV
NEIL SCHWARTZ/Atty. for dbt.
JENNIFER WONG/Atty. for mv.
MOTION TO APPROVE LOAN
MODIFICATION
2-4-16 [[116](#)]

This matter was fully noticed in compliance with the Local Rules and there is no opposition. The motion will be granted without oral argument. The court does not approve or disapprove the terms of a mortgage modification outside of a chapter 13 plan. See *In re Wofford*, 449 B.R. 362 (Bankr. W.D. Wis. 2011). However, the court will authorize the debtors to enter into a modification agreement on terms to be negotiated between the debtor(s) and the mortgagee so long as modification of the mortgage does not interfere with the debtors duties and trustee's administration of the chapter 13 plan. The moving party shall submit a proposed order. No appearance is necessary.

9. [15-10233](#)-B-13 PEDRO/ZENAIDA NAVEIRAS
NES-5
NEIL SCHWARTZ/Atty. for dbt.
MOTION FOR COMPENSATION FOR
NEIL E. SCHWARTZ, DEBTORS
ATTORNEY(S)
1-15-16 [[110](#)]

The scheduled hearing will be dropped from calendar without disposition and must be re-noticed and re-served. The record does not show that this motion was served on the debtors or any parties in interest. No appearance is necessary.

10. [15-14034](#)-B-13 MICHAEL/LUCIA LOPEZ
[15-1133](#)
U.S. TRUSTEE V. LOPEZ ET AL
TERRI DIDION/Atty. for pl.
RESPONSIVE PLEADING
CONTINUED STATUS CONFERENCE RE:
COMPLAINT
10-29-15 [[1](#)]

Based on the U.S. Trustee's status conference statement, this matter will be continued to April 7, 2016, at 9:00 a.m., to be heard with the plaintiff's motion for summary judgment. No appearance is necessary.

11. [11-11439](#)-B-13 SOPHIA WILLIAMS
MHM-5
MICHAEL MEYER/MV
PATRICK KAVANAGH/Atty. for dbt.
RESPONSIVE PLEADING
MOTION TO DISMISS CASE
1-13-16 [[148](#)]

The chapter 13 trustee's motion has been withdrawn. No appearance is necessary.

12. [15-14640](#)-B-13 CLARA OSAGIE-AMAYO
BF-1
JPMORGAN CHASE BANK, N.A./MV

NEIL SCHWARTZ/Atty. for dbt.
BRANDYE FOREMAN/Atty. for mv.

CONTINUED OBJECTION TO
CONFIRMATION OF PLAN BY
JPMORGAN CHASE BANK, N.A.
12-29-15 [[14](#)]

This matter will be dropped from calendar without disposition as moot. The court intends to dismiss the case on the trustee's unopposed motion below. No appearance is necessary.

The court notes that the movant's amended notice is not sufficient to continue a hearing and that an order is necessary pursuant to LRBP 9014-1(j). Accordingly, the amended notice will be stricken.

13. [15-14640](#)-B-13 CLARA OSAGIE-AMAYO
MHM-1
CLARA OSAGIE-AMAYO/MV
NEIL SCHWARTZ/Atty. for dbt.

MOTION TO DISMISS CASE
1-8-16 [[17](#)]

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The record shows the debtor has failed to appear either at her initial or her continued \$341 meeting of creditors. In addition, the record shows that the debtor has failed to provide the trustee with all of the documentation required by 11 U.S.C. §521(a)(3)(4). Accordingly, the respondent's default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.

14. [14-13146](#)-B-7 JUAN OLMEDO
MHM-1
MICHAEL MEYER/MV
ROBERT WILLIAMS/Atty. for dbt.
CONVERTED TO CH. 7

MOTION TO DISMISS CASE
1-11-16 [[38](#)]

This motion will be denied as moot. The debtor has voluntarily converted the case to chapter 7 and performance under the chapter 13 plan is no longer an issue. No appearance is necessary.

15. [15-14646](#)-B-13 RANDAL/GRETTA STUDY
DMG-1
RANDAL STUDY/MV

CONTINUED MOTION TO CONFIRM
PLAN AND/OR MOTION TO CONFIRM
DEADLINE TO FILE COMPLAINT
OBJECTING TO DISCHARGEABILITY
OF DEBT
1-15-16 [[27](#)]

D. GARDNER/Atty. for dbt.
DEBTORS FILED NEW MOTION
[DMG-2]

The debtors have filed and served a motion to confirm a modified chapter 13 plan [DMG-2] that is set for a confirmation hearing on April 7, 2016, at 1:30 p.m. Accordingly, the plan that is the subject of this motion is deemed to be withdrawn. The court will enter a civil minute order. No appearance is necessary.

16. [15-14549](#)-B-13 RAMON SANTAMARIA
[15-1149](#)
U.S. TRUSTEE V. SANTAMARIA
TERRI DIDION/Atty. for pl.

STATUS CONFERENCE RE: COMPLAINT
12-16-15 [[1](#)]

Based on the status conference statement filed by the U.S. Trustee, this matter will be continued to April 7, 2016, at 9:00 a.m., to be heard with the plaintiff's motion for default judgment. No appearance is necessary.

17. [14-11754](#)-B-13 BRETT/RENEE SMITH
MHM-2
MICHAEL MEYER/MV
NEIL SCHWARTZ/Atty. for dbt.
RESPONSIVE PLEADING

MOTION TO DISMISS CASE
1-11-16 [[61](#)]

Pursuant to the debtors' response this matter will be continued to April 7, 2016, at 1:30 p.m., to be heard with the debtors' motion to confirm a modified plan. No appearance is necessary.

18. [14-15955](#)-B-13 ERNEST/LETICIA IBARRA
LKW-3

MOTION FOR COMPENSATION FOR
LEONARD K. WELSH, DEBTORS
ATTORNEY(S)
1-26-16 [[47](#)]

LEONARD WELSH/Atty. for dbt.

This matter was fully noticed in compliance with the Local Rules and there is no opposition. Accordingly, the respondent(s) default will be entered and the motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.

19. [15-14355](#)-B-13 JASON/DANELLE BLACK

CONTINUED CONFIRMATION HEARING
RE: PLAN
11-6-15 [[6](#)]

PATRICK KAVANAGH/Atty. for dbt.

20. [13-15657](#)-B-13 GARY SAMPLEY

MOTION TO DISMISS CASE
1-13-16 [[188](#)]

MHM-3

MICHAEL MEYER/MV

PATRICK KAVANAGH/Atty. for dbt.

The chapter 13 trustee's motion to dismiss was fully noticed in compliance with the Local Rules and there is no opposition. The record shows that there is a material default in the chapter 13 plan payments that has not been cured. Accordingly, the respondent's default will be entered and the motion will be granted without oral argument. The case will be dismissed for cause shown. The court will prepare and enter a civil minute order. No appearance is necessary.

21. [15-14857](#)-B-13 RONALD STARR

MOTION TO DISMISS CASE
2-11-16 [[43](#)]

LRL-42

RONALD STARR/MV

LESLIE RICHARDS/Atty. for dbt.

The debtor's motion to dismiss his chapter 13 case will be denied without prejudice. The United States Trustee's office in Fresno was not served, nor was the chapter 13 trustee served.

Further, the moving papers were not filed in compliance with Local Bankruptcy Rule 9014-1(e) (3).

Finally, the motion is unintelligible in the portion labeled "Background." The court will enter a civil minute order. No appearance is necessary on this matter.

22. [15-14857](#)-B-13 RONALD STARR

OBJECTION TO CONFIRMATION OF
PLAN BY CAM IX TRUST
2-10-16 [[33](#)]

RDW-1

CAM IX TRUST/MV

LESLIE RICHARDS/Atty. for dbt.

REILLY WILKINSON/Atty. for mv.

This matter will be continued to April 7, 2016, at 1:30 p.m. The trustee has not yet concluded the meeting of creditors and by prior order of the court, the trustee has another 7 days after completion of the creditors' meeting to file his objection to the plan. The court will prepare and enter a civil minute order. No appearance is necessary.

23. [16-10358](#)-B-13 ADAM/CHRISTINA RAMIREZ HEARING RE: MOTION TO IMPOSE
ACR-1 AUTOMATIC STAY
ADAM RAMIREZ/MV 2-18-16 [[12](#)]
ADAM RAMIREZ/Atty. for mv.

24. [15-11859](#)-B-13 ARTURO/BERENICE FLORES MOTION TO DISMISS CASE
MHM-2 1-11-16 [[40](#)]
MICHAEL MEYER/MV
ROBERT WILLIAMS/Atty. for dbt.

The chapter 13 trustee's motion has been withdrawn. No appearance is necessary.

25. [14-13564](#)-B-13 LEE/DEBORAH MCDOWELL MOTION TO SELL, MOTION FOR
PK-7 COMPENSATION FOR NEPHELI
LEE MCDOWELL/MV WANDER, REALTOR(S)
2-11-16 [[123](#)]
PATRICK KAVANAGH/Atty. for dbt.

26. [14-15467](#)-B-13 STEVEN WILLIAMS MOTION TO DISMISS CASE
MHM-2 1-11-16 [[55](#)]
MICHAEL MEYER/MV
ROBERT WILLIAMS/Atty. for dbt.
WITHDRAWN

The trustee's motion has been withdrawn. No appearance is necessary.

27. [15-14771](#)-B-13 GEORGE/ESTELLA MAGALLANES OBJECTION TO CONFIRMATION OF
BF-6 PLAN BY FINANCIAL FREEDOM
FINANCIAL FREEDOM/MV 2-9-16 [[22](#)]
ROBERT WILLIAMS/Atty. for dbt.
BRANDYE FOREMAN/Atty. for mv.

This matter will be continued to April 7, 2016, at 1:30 p.m. The trustee has not yet concluded the meeting of creditors and by prior order of the court, the trustee has another 7 days after completion of the creditors' meeting to file his objection to the plan. The court will prepare and enter a civil minute order. No appearance is necessary.

The court notes that the movant's amended notice is not sufficient to continue a hearing and that an order is necessary pursuant to LRBP 9014-1(j). Accordingly, the amended notice will be stricken.

28. [14-15877](#)-B-13 DANIEL/LINDA MONTES
MHM-2
MICHAEL MEYER/MV
ROBERT WILLIAMS/Atty. for dbt.

MOTION TO DISMISS CASE
1-11-16 [[47](#)]

The chapter 13 trustee's motion has been withdrawn. No appearance is necessary.

29. [15-10677](#)-B-13 JOHN KING
MHM-3
MICHAEL MEYER/MV
ROBERT WILLIAMS/Atty. for dbt.

MOTION TO DISMISS CASE
1-11-16 [[64](#)]

The trustee's motion has been withdrawn. No appearance is necessary.

30. [14-14683](#)-B-13 SHERLYN BULL
PK-6
SHERLYN BULL/MV
PATRICK KAVANAGH/Atty. for dbt.

MOTION TO MODIFY PLAN
12-31-15 [[91](#)]

The motion to confirm or modify a chapter 13 plan was fully noticed in compliance with the Local Rules and there is no opposition. The motion will be granted without oral argument for cause shown. The debtor(s) shall submit a proposed confirmation order for approval to the chapter 13 trustee. The confirmation order shall include the docket control number of the motion and it shall reference the plan by the date it was filed. No appearance is necessary.

31. [16-10299](#)-B-13 KARINA PIMENTEL

PHILLIP GILLET/Atty. for dbt.

ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
2-16-16 [[20](#)]

The record shows that the required fee has been paid in full. The OSC will be dropped from calendar. No appearance is necessary.

1:45 P.M.

1. [15-13167](#)-B-12 DOUG KOPHAMER FARMS
LKW-12

MOTION FOR COMPENSATION FOR
LEONARD K. WELSH, DEBTORS
ATTORNEY(S)
2-10-16 [[197](#)]

LEONARD WELSH/Atty. for dbt.